

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

DAJAHN MCBEAN *et al.*,

Defendants.

24 Cr. 541 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On review of the parties' submissions as to the motions to suppress filed by defendants Dajahn McBean and Chelsey Harris, *see* Dkts. 70, 71, 74, 76, 77, the Court concludes that an evidentiary hearing is merited on both motions. Although one or both suppression motions may be capable of resolution on the papers, the presentation of evidence as to discrete areas of fact will assure a fuller record and a more secure resolution.

The Court accordingly schedules evidentiary hearings as follows:

- An evidentiary hearing as to Harris's motion to suppress is scheduled for **March 25, 2025 at 12:00 p.m.** in Courtroom 1305 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY. In the unlikely event that the hearing is not complete that day, it will resume the morning of **March 26, 2025**. The Court directs the Government to submit, **by March 21, 2025**, a transcript of the interview of Harris at the NYPD precinct on December 28, 2023, keyed to the timestamps used in the video recording of the interview. The Court expects the evidence at the hearing to focus on the information known to the police with respect to the cellphones at issue; Harris's statements with respect to the

cellphones and their contents; and the circumstances under which the cellphones came to be stored and retrieved at the precinct.

- An evidentiary hearing as to McBean's motion to suppress is scheduled for **April 3, 2025 at 10:30 a.m.** in Courtroom 1305 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY. This hearing will be limited to facts pertaining to (1) the basis or bases on which prison officials at the Metropolitan Detention Center, Brooklyn (the "MDC") undertook to search McBean's cell on December 29, 2023 (the "search"); (2) the manner in which the MDC officials carried out the search.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: March 12, 2025
New York, New York